

**POLICY STATEMENT**  
**TENNESSEE STATE BOARD OF MEDICAL EXAMINERS**

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**ENFORCEMENT - UNLICENSED PRACTICE OF X-RAY OR PRACTICING BEYOND  
THE SCOPE OF AN EXISTING LIMITED SCOPE LICENSE**

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All persons operating x-ray equipment in physicians' offices in Tennessee must possess a certificate issued by the Board with the exception of the following who are exempted, pursuant to rule 0880-5-.03, O.C.R.R.S.T., from certification:

- (1) Licensed medical doctors
- (2) Medical interns, residents and clinical fellows
- (3) Students engaged in clinical practice while enrolled in a Board approved radiological education course required to receive radiological certification.
- (4) Graduates of a Board approved radiological education course who are awaiting examination but only for a period not to exceed six (6) months from the date that the course was completed. After sitting for the examination this exemption shall continue for a period not to exceed seventy five (75) days. At all times while awaiting examination or examination results and until certification is received, graduates shall practice only under supervision as set forth in rule 0880-5-.05 (2)(c).

When the Board of Medical Examiners becomes aware that a person who is not certified to do is operating x-ray equipment in a physician's office or that a certified x-ray operator is practicing outside the scope of his/her certification the following action shall commence. The Board's administrative staff shall notify the practitioner and his/her supervising physician, by certified mail, return receipt requested, that if the practitioner submits, within thirty (30) days of the date of receipt of the notice, satisfactory documentation of any one or more of the following, the matter will be closed with no further action:

- a) The practitioner is certified to operate x-ray equipment in a physician's office; or
- b) The practitioner met one of the above-listed exemptions at the time he/she operated the x-ray equipment; or
- c) The practitioner did not operate x-ray equipment during the time the Board's documentation alleges; or
- d) The practitioner has, since the time of the report to the Board, become enrolled in a Board approved x-ray technician certification training program; or
- e) The practitioner has submitted either an application for certification or a written request for an upgrade of an existing certification along with all applicable fees.

If the practitioner and/or supervising physician fail to exercise one of the available options, the matter will be referred to the Office of General Counsel for full prosecution with the failure to take advantage of the penalty-free opportunity as set forth above taken into consideration by the Board in its disciplinary deliberations. Upon a proven violation, the **minimum** disciplinary action that shall be authorized by any panel of the Board for **either or both** the practitioner and/or the supervising physician is as follows:

**Enforcement Policy**

**X-Ray Violations**

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- a) A formal **reprimand** (reportable to the NPDB and HIPDA); **and**
- b) Assessment of a Type C civil penalty in the amount of one hundred dollars (\$100.00) for each **day** the uncertified practitioner operated x-ray equipment or was allowed by a supervising physician to operate x-ray equipment which shall include days prior to, during and after the thirty (30) day grace period; **and**
- c) Assessment of the costs associated with the prosecution of the matter; **and**
- d) Any and all other remedies the Board deems appropriate.

**Adopted by the Board of Medical Examiners on this the 15th day of November, 2005.**

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**David L. Cunningham, M.D., President  
Tennessee Board of Medical Examiners**